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REMARKS**Oath/Declaration**

The office action stated that the oath/declaration is defective.

A new declaration is currently being processed. However, not all of the inventors are still employed with the assignee so that the collection of signatures has not been completed at this time.

Specification

The specification has been amended to correct the obvious errors listed in section 4 of the office action.

Claims

Claims 17-19, 21-27, and 29-31 have been canceled.

Entry of new independent claim 33 is requested. It includes essentially the limitations of previous claims 22 and 27.

Entry of new dependent claims 34 and 35 is requested. Claim 34 is similar to a combination of previous claims 25 and 26, just written in a more concise manner. Claim 35 includes the limitation that both toothed gears are part of the same planetary wheel, which can be found on page 10, line 6 (after the correction) and on page 8, line 1, of the substitute specification.

Claim Rejections – 35 U.S.C. §112

Claims 23, 31, and 32 were rejected for being dependent on a canceled claim.

The only surviving claim of these three, i.e. claim 32, was amended to depend on new claim 35.

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Claim Rejections – 35 U.S.C. §102

Claim s 17-29 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,155,376 to Cheng.

Applicant believes that the expression "axially offset" of claim 27 was misunderstood by the examiner. It was intended to distinguish the offset of the two geared wheels with respect to each other in axial direction from an offset in radial or any other direction. In Cheng, there is no axial offset, for the two geared wheels 112 and 114 are offset by an angle, 90°, not along an axis.

New claim independent 33 has been submitted to overcome the Cheng reference by explicitly stating that the two toothed gears with different hardness are arranged coaxially on the same carrier. This is a reworded combination of previous claims 22 and 27.

Accordingly claims 17-19, 21-27, and 29-31 have been canceled.

Claim s 17, 22, 29 and 30 were rejected under 35 U.S.C. §102(b) as being anticipated by WO 02/09998 A1 (WO'998).

Applicant disagrees that WO'998 anticipates claim 22. The elasticity of WO'998 is obtained by shaft 8 being designed as a torsion bar spring, not by making any toothed gear harder or softer.

The following is a translation of lines 31-34 on page 3 of the WO'998 document:

During assembly, the shaft 8, embodied as a torsion bar, of the rotationally elastic stepped planet 7 is pretensioned by a predetermined angle so that the elastic restoring moment acts upon both planetary wheels 9, 10.

And on page 4, lines 31-35, the WO'998 document states:

In order to make the pretension of the rotationally elastic stepped planet 7 easier, tool abutment surfaces 13 are integrated at the stub-shaft-like extension of this stepped planet 7 outside the housing.

Accordingly, the elasticity is not caused by any material of the toothed gears. Actually, all the toothed planet wheels appear to be of the same hardness, for their

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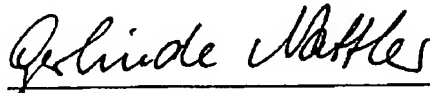
material is nowhere discussed in the entire specification. It is the shaft 8 of the planet 7 which is a torsion bar ("Drehstab") and thus possesses elasticity only with respect to twisting the two wheels 9 and 10 relative to each other.

Furthermore, the different elasticities are not found in any two coaxial toothed gears, i.e. in such gears that are arranged on the same axis or shaft. Due to the torsion spring determining the elasticity, the elasticity of the two planetary wheels sharing one shaft is always identical and only differs from the elasticity of gears located on the other shaft.

It is therefore believed that new claim 33 is neither anticipated nor rendered obvious by the cited prior art and to be allowable.

All other claims, i.e. claims 20, 28, 32, 34, and 35 directly or indirectly depend on claim 33 and are thus believed to be allowable as well.

Respectfully submitted,



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